

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

AMANDA GARCIA,

Plaintiff,

v.

Case No. 1:12-cv-00063 ACT/WDS

WAL-MART STORES EAST, L.P.,

Defendant.

**ORDER TO EXTEND DISCOVERY DATES
AND PRETRIAL DEADLINES**

THIS MATTER having come before the parties' Stipulated Motion to Extend Discovery Dates and Pretrial Deadlines, and the Court being otherwise fully advised **FINDS:**

Good cause exists to extend discovery in this matter by 30 days.

IT IS SO THEREFORE ORDERED.

Accordingly, the termination date for discovery is moved to **February 21, 2013** and discovery shall not be reopened, nor shall case management deadlines be modified, except by an Order of the Court upon a showing of good cause. This deadline shall be construed to require that discovery be completed on or before the above date. Service of interrogatories or requests for production shall be considered timely only if the responses are due prior to the deadline. A notice to take deposition shall be considered timely only if the deposition takes place prior to the deadline. The pendency of dispositive motions shall not stay discovery.

Motions relating to discovery (including, but not limited to, motions to compel and motions for protective order) shall be filed with the Court and served on opposing parties by **March 4, 2013**. See D.N.M.LR-Civ. 7 for motion practice requirements and timing of responses and replies. This deadline shall not be construed to extend the twenty-day time limit in D.N.M.LR-Civ. 26.6.

Defendant shall identify any expert witness to be used by such parties at trial and shall provide expert reports pursuant to Fed. R. Civ. 0.26(a)(2)(B) no later than **January 15, 2013**.

Pretrial motions, other than discovery motions, shall be filed with the Court and served on opposing party by **March 8, 2013**. See D.N.M.LR-Civ. 7 for motion practice requirements and timing of responses and replies. Any pretrial motions, other than discovery motions, filed after the above dates shall, in the discretion of the Court, be considered untimely.

If documents are attached as exhibits to motions, affidavits or briefs, those parts of the exhibits that counsel want to bring to the attention of the Court must be highlighted in accordance with D.N.M.LR-Div. 10.6.

Counsel are directed to file a consolidated final Pretrial Order as follows: Plaintiff to Defendant on or before **May 17, 2013**; Defendant to Court on or before **May 27, 2013**. Counsel are directed that the Pretrial Order will provide that no witnesses except rebuttal witnesses whose testimony cannot be anticipated, will be permitted to testify unless the name of the witness is furnished to the Court and opposing counsel no later than thirty (30) days prior to the time set for trial. Any exceptions thereto must be upon order of the Court for cause shown.

The trial setting of April 8, 2013 before the Honorable Alan C. Torgerson and all related deadlines will be vacated. Judge Torgerson will send out an Amended Trial Notice rescheduling the trial for **June 11, 2013**.

SO ORDERED this 11th day of December, 2012.



THE HONORABLE W. DANIEL SCHNEIDER
United States Magistrate Judge